



Washington, D.C. 20505

17 December 2009

APPROVED FOR RELEASE ☐
DATE: 06-16-2010

Kel McClanahan, Esq.
Executive Director
National Security Counselors
1200 South Courthouse Road
Suite 124
Arlington, VA 22204

Reference: F-2010-00076

Dear Mr. McClanahan:

On 8 October 2009, the office of the Information and Privacy Coordinator received your 8 October 2009 Freedom of Information Act (FOIA) request for copies of **“any and all declarations or affidavits filed by the Director (or his designee) of the Central Intelligence Agency (‘CIA’) in the following lawsuits wherein the state secrets or executive privilege was invoked:**

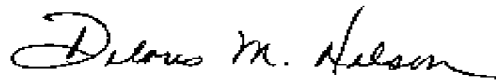
- 1. Heine v. Raus, 261 F. Supp. 570 (D.Md. 1966) or its progeny: 399 F.2d 785 (4th Cir. 1968), 305 F. Supp. 816 (D. Md. 1969), 432 F.2d 1007 (4th Cir. Md. 1970);**
- 2. Halkin v. Helms, Civil Action No. 75-1773 (D.D.C.), 690 F.2d 977 (D.C. Cir. 1982); and**
- 3. Foster v. United States, 12 Cl. Ct. 492 (1987)”**

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

The CIA Information Act, 50 U.S.C. § 431, as amended, exempts CIA operational files from the search, review, publication, and disclosure requirements of the FOIA. To the extent your request seeks information that is subject to the FOIA, we accept your request and will process it in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act. We will search for records existing through the date of this acceptance letter. As a matter of administrative discretion, and in accordance with our regulations, the Agency has waived the fees for this request.

The large number of FOIA requests CIA receives has created unavoidable delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you object.

Sincerely,

A handwritten signature in black ink that reads "Delores M. Nelson". The signature is written in a cursive, flowing style.

Delores M. Nelson
Information and Privacy Coordinator

